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SIMON GILL

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA
FRESNO DIVISION

SIMON GILL,)	Consolidated Case No. 1:05-cv-00272-OWW-LJO
Plaintiff,)	
v.)	
CHEVRONTEXACO CORPORATION, a)	
Delaware corporation, TEXACO INC., a)	
Delaware corporation,)	
Defendants.)	<u>STIPULATION AND ORDER RE:</u> <u>PRE-TRIAL SCHEDULE</u>
AND RELATED CROSS-ACTION)	

Defendants Chevron Texaco Corporation and Texaco Inc. ("Defendants") and
Plaintiff Simon Gill ("Plaintiff"), through their attorneys of record, hereby agree and
stipulate as follows:

1 WHEREAS, the Court issued a Scheduling Conference Order on December 8, 2005
2 (“Order”), setting forth certain Discovery Plan and Cut-Off dates and a Pretrial Motion
3 Schedule in this matter; and

4 WHEREAS, the parties desire to continue the Discovery Plan and Cut-Off dates and
5 Pretrial Motion Schedule in the Court’s order by two (2) months in order to accommodate
6 (1) Defendants’ expert witnesses’ schedules, (2) the parties’ coordination of witnesses
7 located internationally, and (3) Plaintiff’s counsel’s trial schedule.

8 THEREFORE, the parties agree and stipulate to the continuance of the Discovery
9 Plan and Cut-Off dates and Pretrial Motion Schedule in the Court’s Order as follows:

10 1. The parties shall complete all discovery on or before August 31, 2006.

11 2. The parties shall disclose all expert witnesses, in writing, on or before June
12 30, 2006. Any supplemental expert disclosures will be made on or before July 31, 2006.

13 The parties will comply with the provisions of Federal Rule of Civil Procedure 26(a)
14 regarding their expert designations. Local Rule 16-240(a) notwithstanding, the written
15 designation of experts shall be made pursuant to F. R. Civ. P. Rule 26(a)(2)(A) and (B) and
16 shall include all information required thereunder. Failure to designate experts in
17 compliance with the order may result in the Court excluding the testimony or other
18 evidence offered through such experts that are not disclosed pursuant to the order.

19 3. The provisions of F. R. Civ. P. 26(b)(4) shall apply to all discovery relating
20 to experts and their opinions. Experts may be fully prepared to be examined on all subjects
21 and all opinions included in the designation. Failure to comply will result in the imposition
22 of sanctions.

23 4. All dispositive pre-trial motions, and cross-motions for summary judgment,
24 will be filed on or before September 15, 2006. Each party's opposition shall be filed on or
25 before September 29, 2006. Any replies will be filed by October 6, 2006. The cross-
26 motions for summary judgment shall be heard on October 30, 2006 at 9:00 a.m., before
27 District Judge Oliver W. Wanger in Courtroom 2, or at such other time ordered by the
28 Court.

5. Depending upon the outcome of the cross-motions for summary judgment, a further scheduling conference will be scheduled after disposition of the motions.

IT IS SO STIPULATED.

Dated: May 16, 2006

PILLSBURY WINTHROP SHAW PITTMAN LLP
RICHARD M. SEGAL
BRIAN D. MARTIN

By /s/

Brian D. Martin

Attorneys for Defendants and Counterclaimants
CHEVRONTEXACO CORPORATION AND
TEXACO, INC.

Dated: May 16, 2006

ALEXANDER & ASSOCIATES, PLC
WILLIAM L. ALEXANDER

By /s/

William L. Alexander

Attorneys for Plaintiff and Counter-defendant
SIMON GILL

ORDER

Pursuant to the parties' stipulation, and good cause appearing therefore, the Court continues the Discovery Plan and Cut-Off dates and Pretrial Motion Schedule in the Court's Order as follows:

1. The parties shall complete all discovery on or before August 31, 2006.

2. The parties shall disclose all expert witnesses, in writing, on or before June 30, 2006. Any supplemental expert disclosures will be made on or before July 31, 2006. The parties will comply with the provisions of Federal Rule of Civil Procedure 26(a) regarding their expert designations. Local Rule 16-240(a) notwithstanding, the written designation of experts shall be made pursuant to F. R. Civ. P. Rule 26(a)(2)(A) and (B) and shall include all information required thereunder. Failure to designate experts in compliance with the order may result in the Court excluding the testimony or other evidence offered through such experts that are not disclosed pursuant to this order.

3. The provisions of F. R. Civ. P. 26(b)(4) shall apply to all discovery relating to experts and their opinions. Experts may be fully prepared to be examined on all subjects and all opinions included in the designation. Failure to comply will result in the imposition of sanctions.

4. All dispositive pre-trial motions, and cross-motions for summary judgment, will be filed on or before September 15, 2006. Each party's opposition shall be filed on or before September 29, 2006. Any replies will be filed by October 6, 2006. The cross-motions for summary judgment shall be heard on October 30, 2006 at 9:00 a.m., before District Judge Oliver W. Wanger in Courtroom 2, or at such other time ordered by the Court.

1 5. Depending upon the outcome of the cross-motions for summary judgment, a
2 further scheduling conference will be scheduled after disposition of the motions.

3 IT IS SO ORDERED.

4 Dated: May 18,_____, 2006

5 /s/ OLIVER W. WANGER
6 Judge of the United States District Court
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